Rev. 4/18

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
CIVIL APPEAL STATEMENT

Please TYPE.   Attach additional pages if necessary.   11th Circuit Docket Number: __21-13696_____

Caption:	District and Division: S. Dist. of FL. Ft. Pierce Division
Williams, et al.	Name of Judge: CANNON
	Nature of Suit: FL Min Wage Act
vs.	Date Complaint Filed: 08/04/2020
	District Court Docket Number: 20cv23230
Galardi	Date Notice of Appeal Filed: 10/21/21

☐ Cross Appeal   ☐ Class Action

Has this matter previously been before this court?
☐ Yes   ☑ No
If Yes, provide
(a)   Caption: _____
(b)   Citation: _____
(c)   Docket Number: _____

	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant: ☑ Plaintiff ☐ Defendant ☐ Other (Specify)	Astrid Gabbe	P.O. Box 4216 Hollywood, FL, 33083	954-303-9882 t. 954-303-1041 f. astridgabbe@gmail.com
For Appellee: ☐ Plaintiff ☑ Defendant ☐ Other (Specify)	Gerald J. Tobin	4551 PONCE DE LEON BLVD CORAL GABLES, FL 33146	Telephone: (305) 858-9020 Facsimile: (305) 858-6097 geraldtobinpa@aol.com

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
☐ Federal Question	☑ Final Judgment, 28 USC 1291	☑ Dismissal/Jurisdiction	Amount Sought by Plaintiff: $ 800,000
☑ Diversity	☐ Interlocutory Order, 28 USC 1292(a)(1)	☐ Default Judgment	Amount Sought by Defendant: $ 0
☐ US Plaintiff	☐ Interlocutory Order Certified, 28 USC 1292(b)	☐ Summary Judgment	Awarded: $ 0
☐ US Defendant	☐ Interlocutory Order, Qualified Immunity	☐ Judgment/Bench Trial	to n/a
		☐ Judgment/Jury Verdict	Injunctions:
	☐ Final Agency Action (Review)	☐ Judgment/Directed Verdict/NOV	☐ TRO
		☐ Injunction	☐ Preliminary ☐ Granted
	☐ 54(b)	☐ Other _____	☐ Permanent ☐ Denied

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Based on your present knowledge:

(1)   Does this appeal involve a question of First Impression?   ☐ Yes   ☑ No
      What is the issue you claim is one of First Impression? _____

(2)   Will the determination of this appeal turn on the interpretation or application of a particular case or statute?   ☑ Yes   ☐ No

      If Yes, provide
      (a)   Case Name/Statute _McKelvey v. AT & T Technologies, Inc., 789 F.2d 1518, 1520 (11th Cir.1986)_____
      (b)   Citation _____
      (c)   Docket Number if unreported _____

(3)   Is there any case now pending or about to be brought before this court or any other court or administrative agency that
      (a)   Arises from substantially the same case or controversy as this appeal?   ☑ Yes   ☐ No
      (b)   Involves an issue that is substantially the same, similar, or related to an issue in this appeal?   ☑ Yes   ☐ No

      If Yes, provide
      (a)   Case Name _Parker vs. Galardi_____
      (b)   Citation _____
      (c)   Docket Number if unreported _21-13608_____
      (d)   Court or Agency _11th Circuit_____

(4)   Will this appeal involve a conflict of law
      (a)   Within the Eleventh Circuit?   ☐ Yes   ☑ No
      (b)   Among circuits?   ☐ Yes   ☑ No

      If Yes, explain briefly:

(5)   Issues proposed to be raised on appeal, including jurisdictional challenges:

      whether the district court considered a lesser sanction then dismisall with prejudice before entering the final order of dismissal.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND

SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS _22nd_____ DAY OF _November_____, _2021_____.

_/s/ Astrid E. Gabbe, Esq._____   _/s/ Astrid E. Gabbe, Esq._____
NAME OF COUNSEL (Print)   SIGNATURE OF COUNSEL